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March 19, 2020

VIA ECF

The Honorable Mary Kay Vyskocil
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: ***United States v. Christopher Marino***
SDNY Ind. No. 20 cr 160 (MKV)
Request to Waive Defendant Chris Marino's Appearance at Status Conference
and Permission for Counsel to Appear Telephonically

Dear Judge Vyskocil:

Reference is made to the status conference currently scheduled for March 23, 2020 in the above-entitled case. It is respectfully requested in light of the current public health situation that counsel be allowed to appear telephonically at the conference and that the appearance of defendant Chris Marino be waived. Counsel has spoken to Mr. Marino regarding this request and after consultation with counsel, including informing him of his obligation and right to appear before the court for such appearance, he knowingly, intelligently and voluntarily agrees to waive his right to appear and requests that his appearance be waived. Attached please find Mr. Marino's signed waiver. Counsel has previously given Mr. Marino a copy of his indictment at his presentment, reviewed the indictment with him and would ask the Court, through counsel, to enter a Not Guilty plea on his behalf. He also agrees to abide by whatever schedule the Court establishes at the conference regarding discovery, motion and trial dates. Additionally, we agree to waive any Speedy Trial considerations in light of the complexity of the case, the need to review discovery and conduct plea negotiations.

Should your Honor have any questions regarding this request, please do not hesitate to contact counsel immediately. Your consideration of the above request is greatly appreciated.

Very truly yours,

/s/ ***Guy Oksenhendler***
Guy Oksenhendler

DENIED without prejudice to renewal. The waiver does not comply with Federal Rule of Criminal Procedure 10(b) because it is not signed by both the Defendant and counsel.

Date: 3/19/2020
New York, New York

Mary Kay Vyskocil
Mary Kay Vyskocil
United States District Judge